

1 (2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section
2 2461(c); Title 18, United States Code, Section 982(a)(2)(A); and Title 21, United States Code, Section
3 853(p) based upon the jury verdict finding defendant JEANNIE SUTHERLAND guilty of the criminal
4 offenses. Criminal Superseding Indictment, ECF No. 60; Jury Trial Minutes, ECF No. 286; Jury
5 Verdict Form, ECF No. 287.

6 On February 16, 2012, this Court rescinded and vacated the Order of Forfeiture (ECF No. 294).
7 Order Rescinding and Vacating Order of Forfeiture, ECF No. 298.

8 On May 16, 2012, an Amended Order of Forfeiture (ECF No. 330) was entered against JEANNIE
9 SUTHERLAND for \$2,350,350 in United States Currency. Thereafter, the United States recognized a
10 mathematical error and this Court entered a Second Amended Order of Forfeiture (ECF No. 345)
11 correcting the criminal forfeiture money judgment from \$2,350,350 in United States Currency to
12 \$2,341,350 in United States Currency.

13 On August 28, 2012, the United States District Court for the District of Nevada sentenced
14 JEANNIE SUTHERLAND. Sentencing Minutes, ECF No. 376. On September 4, 2012, this Court
15 entered the sentencing Order of Forfeiture with a criminal forfeiture money judgment of \$2,341,350 in
16 United States Currency pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Title 18, United States
17 Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States
18 Code, Section 982(a)(2)(A); and Title 21, United States Code, Section 853(p). Sentencing Order of
19 Forfeiture, ECF No. 378.

20 On September 6, 2012, the United States District Court for the District of Nevada entered the
21 Judgment in a Criminal Case on JEANNIE SUTHERLAND with the Sentencing Order of Forfeiture
22 (ECF No. 378) attached. Judgment in a Criminal Case, ECF No. 381.

23 On March 28, 2014, the United States filed a Sealed Ex Parte Motion to File this Motion and the
24 Sealed Ex Parte Motion to Substitute and to Forfeit Property of Jeannie Sutherland under Seal and Order
25 (ECF No. 430) along with the Sealed Ex Parte Motion to Substitute and to Forfeit Property of Jeannie
26 Sutherland (ECF No. 431) to be used towards satisfaction of Sutherland's criminal forfeiture money

1 judgment. On March 31, 2014, the United States District Court for the District of Nevada entered the
2 order granting the United States' motion to seal (ECF No. 433) and the Substitution and Forfeiture Order
3 (ECF No. 434) authorizing the substitution and forfeiture of the real property located at 9405 Shipboard
4 Court, Las Vegas, Nevada 89117 ("property") pursuant to Title 21, United States Code, Section 853(p).
5 The property is more particularly described as follows:

6 Parcel I:

7 Lot One Hundred Twenty-Eight (128), in Block Four (4) of Mission Monterey Unit No. 2, as
8 shown by map thereof on file in Book 40 of Plats, Page 9, in the Office of the County Recorder of Clark
County, Nevada.

9 Parcel II:

10 A non-exclusive easement on and over the "Common Area" as defined in the Declaration of
11 Covenants, Conditions and Restrictions to which reference is hereafter made for access, use, enjoyment,
12 occupancy, ingress and egress of the amenities located hereon subject to the terms and provisions of said
Declaration of Covenants, Conditions and Restrictions recorded January 20, 1987 in Book 870120 of
Official Records, as Document No. 00088.

13 Together with any and all improvements and appurtenances thereon, Assessor's Parcel No. 163-
14 07-813-014.

15 On April 4, 2014, the United States Marshals Service ("USMS") seized, arrested, and took into
16 custody the real property located at 9405 Shipboard Court, Las Vegas, Nevada 89117. Notice of Filing
17 Service of Process, ECF No. 442.

18 On April 8, 2014, the United States of America filed a Motion to Unseal the Sealed Ex Parte
19 Motion to Substitute and to Forfeit Property of Jeannie Sutherland and Order (ECF No. 435) so service
20 of process could be completed. On May 14, 2014, the United States District Court for the District of
21 Nevada entered the order granting the United States' motion (ECF No. 440).

22 On April 8, 2014, the United States of America filed a Motion for an Interlocutory Order of Sale
23 of Property and Order (ECF No. 436). On May 14, 2014, the United States District Court for the
24 District of Nevada entered the order granting the United States' motion (ECF No. 439).

25 This Court finds the United States of America published the notice of forfeiture in accordance
26 with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively

1 from May 22, 2014, through June 20, 2014, notifying all potential third parties of their right to petition
2 the Court. Notice of Filing Proof of Publication, ECF No. 449.

3 On May 27, 2014, Michael Chen, counsel for Wells Fargo Bank, McCarthy Holthus, LLP,
4 9510 W. Sahara Ave., Ste. 200, Las Vegas, Nevada 89117 was personally served with the United
5 States of America's Motion to File this Motion and the Motion to Substitute under Seal, the Motion to
6 Substitute and to Forfeit Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the
7 Notice. Notice of Filing Supplemental Service of Process - Personal Service, ECF No. 450.

8 On June 19, 2014, Diana Alba, Clark County Clerk, Clark County Board of Commissioners,
9 Commission Division, 500 S. Grand Central Parkway, 1st and 6th Floors, Las Vegas, Nevada 89155
10 was personally served with the United States of America's Motion to File this Motion and the Motion
11 to Substitute under Seal, the Motion to Substitute and to Forfeit Property of Jeannie Sutherland, the
12 Substitution and Forfeiture Order, and the Notice. Notice of Filing Second Supplemental Service of
13 Process - Personal Service, ECF No. 451, p. 2-27.

14 On June 19, 2014, Diana Alba, Clark County Clerk, Commission Division, 500 S. Grand
15 Central Parkway, 1st and 6th Floors, Las Vegas, Nevada 89155 was personally served with the United
16 States of America's Motion to File this Motion and the Motion to Substitute under Seal, the Motion to
17 Substitute and to Forfeit Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the
18 Notice. Notice of Filing Second Supplemental Service of Process - Personal Service, ECF No. 451, p.
19 28-53.

20 On June 19, 2014, Diana Alba, Clark County Clerk, Clark County Water Reclamation District,
21 500 S. Grand Central Parkway, 1st and 6th Floors, Las Vegas, Nevada 89155 was personally served
22 with the United States of America's Motion to File this Motion and the Motion to Substitute under
23 Seal, the Motion to Substitute and to Forfeit Property of Jeannie Sutherland, the Substitution and
24 Forfeiture Order, and the Notice. Notice of Filing Second Supplemental Service of Process - Personal
25 Service, ECF No. 451, p. 54-79.

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1 On June 19, 2014, Larry Brown, Chairman, Clark County Water Reclamation District, 5857 E.
2 Flamingo Road, Las Vegas, Nevada 89122 was personally served with the United States of America's
3 Motion to File this Motion and the Motion to Substitute under Seal, the Motion to Substitute and to
4 Forfeit Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of
5 Filing Second Supplemental Service of Process - Personal Service, ECF No. 451, p. 80-105.

6 On June 19, 2014, Debbie Conway, Clark County Recorder, 500 S. Grand Central Parkway,
7 2nd Floor, Las Vegas, Nevada 89155 was personally served with the United States of America's
8 Motion to File this Motion and the Motion to Substitute under Seal, the Motion to Substitute and to
9 Forfeit Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of
10 Filing Second Supplemental Service of Process - Personal Service, ECF No. 451, p. 106-131.

11 On June 19, 2014, Michele F. Shafe, Clark County Assessor, 500 S. Grand Central Parkway,
12 2nd Floor, Las Vegas, Nevada 89155 was personally served with the United States of America's
13 Motion to File this Motion and the Motion to Substitute under Seal, the Motion to Substitute and to
14 Forfeit Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of
15 Filing Second Supplemental Service of Process - Personal Service, ECF No. 451, p. 132-157.

16 On June 18, 2014, Steven B. Wolfson, Clark County District Attorney, 200 Lewis Avenue, Las
17 Vegas, Nevada 89101 was personally served with the United States of America's Motion to File this
18 Motion and the Motion to Substitute under Seal, the Motion to Substitute and to Forfeit Property of
19 Jeannie Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of Filing Second
20 Supplemental Service of Process - Personal Service, ECF No. 451, p. 158-183.

21 On June 19, 2014, Beverly Bridges, City Clerk, City of Las Vegas, 495 S. Main St., Las Vegas,
22 Nevada 89101 was personally served with the United States of America's Motion to File this Motion
23 and the Motion to Substitute under Seal, the Motion to Substitute and to Forfeit Property of Jeannie
24 Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of Filing Third Supplemental
25 Service of Process - Personal Service, ECF No. 452, p. 2-27.

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1 On June 19, 2014, Beverly Bridges, City Clerk, City of Las Vegas Sewer, 495 S. Main St., Las
2 Vegas, Nevada 89101 was personally served with the United States of America's Motion to File this
3 Motion and the Motion to Substitute under Seal, the Motion to Substitute and to Forfeit Property of
4 Jeannie Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of Filing Third
5 Supplemental Service of Process - Personal Service, ECF No. 452, p. 28-53.

6 On June 19, 2014, Bradford Jerbic, City Attorney, City of Las Vegas, 495 S. Main St., 6th
7 Floor, Las Vegas, Nevada 89101 was personally served with the United States of America's Motion to
8 File this Motion and the Motion to Substitute under Seal, the Motion to Substitute and to Forfeit
9 Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of Filing
10 Third Supplemental Service of Process - Personal Service, ECF No. 452, p. 54-79.

11 On June 19, 2014, John Entsminger, General Manager, Las Vegas Valley Water District, 1001
12 S. Valley View Blvd., Las Vegas, Nevada 89153 was personally served with the United States of
13 America's Motion to File this Motion and the Motion to Substitute under Seal, the Motion to
14 Substitute and to Forfeit Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the
15 Notice. Notice of Filing Third Supplemental Service of Process - Personal Service, ECF No. 452, p.
16 80-105.

17 On June 19, 2014, Mary Beth Scow, President, Las Vegas Valley Water District, 1001 S.
18 Valley View Blvd., Las Vegas, Nevada 89153 was personally served with the United States of
19 America's Motion to File this Motion and the Motion to Substitute under Seal, the Motion to
20 Substitute and to Forfeit Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the
21 Notice. Notice of Filing Third Supplemental Service of Process - Personal Service, ECF No. 452, p.
22 106-131.

23 On June 19, 2014, Gregory J. Walch, General Counsel, Las Vegas Valley Water District, Las
24 Vegas, Nevada 89153 was personally served with the United States of America's Motion to File this
25 Motion and the Motion to Substitute under Seal, the Motion to Substitute and to Forfeit Property of
26 . . .

1 Jeannie Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of Filing Third
2 Supplemental Service of Process - Personal Service, ECF No. 452, p. 132-157.

3 On June 19, 2014, David L. Johnson, General Manager, Southern Nevada Water Authority,
4 1001 S. Valley View Blvd., Las Vegas, Nevada 89153 was personally served with the United States of
5 America's Motion to File this Motion and the Motion to Substitute under Seal, the Motion to
6 Substitute and to Forfeit Property of Jeannie Sutherland, the Substitution and Forfeiture Order, and the
7 Notice. Notice of Filing Third Supplemental Service of Process - Personal Service, ECF No. 452, p.
8 158-183.

9 On June 30, 2014, Jeannie Sutherland, Federal Halfway House, 2501 Industrial Road, Las
10 Vegas, Nevada 89102 was personally served with the United States of America's Motion to File this
11 Motion and the Motion to Substitute under Seal, the Motion to Substitute and to Forfeit Property of
12 Jeannie Sutherland, the Substitution and Forfeiture Order, and the Notice. Notice of Filing Fourth
13 Supplemental Service of Process - Personal Service, ECF No. 453.

14 On July 9, 2014, the United States of America filed a proposed Settlement Agreement for
15 Entry of Order of Forfeiture as to Wells Fargo Bank, National Association, and Order (ECF No. 455).
16 On July 10, 2014, the United States District Court for the District of Nevada entered the order granting
17 the settlement agreement (ECF No. 456).

18 This Court finds the United States of America published the notice of forfeiture in accordance
19 with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively
20 from June 12, 2014, through July 11, 2014, notifying all potential third parties of their right to petition
21 the Court. Notice of Filing Proof of Publication, ECF No. 457.

22 On July 22, 2014, a Petition for Remission or Mitigation of Forfeiture (ECF No. 459) was filed
23 with this Court by Huong Lam, Alessi & Koenig, LLC, counsel for the Section Seven Community
24 Association. On August 19, 2014, the Section Seven Community Association withdrew their Petition
25 for Remission or Mitigation of Forfeiture (ECF No. 463).

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1 On August 18, 2014, the United States of America filed a proposed Settlement Agreement for
 2 Entry of Order of Forfeiture as to Section Seven Community Association and Order (ECF No. 462).
 3 On August 21, 2014, the United States District Court for the District of Nevada entered the order
 4 granting the settlement agreement (ECF No. 464).

5 This Court finds no other petitions were filed herein by or on behalf of any person or entity
 6 and the time for filing such petitions and claims has expired.

7 This Court finds no petitions are pending with regard to the assets named herein and the time
 8 for presenting such petitions has expired.

9 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
 10 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
 11 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
 12 32.2(c)(2); Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code,
 13 Section 2461(c); Title 18, United States Code, Section 982(a)(2)(A); and Title 21, United States Code,
 14 Section 853(n)(7) and (p) and shall be disposed of according to law: real property located at 9405
 15 Shipboard Court, Las Vegas, Nevada 89117 ("property"). The property is more particularly described
 16 as follows:

17 Parcel I:

18 Lot One Hundred Twenty-Eight (128), in Block Four (4) of Mission Monterey Unit No. 2, as
 19 shown by map thereof on file in Book 40 of Plats, Page 9, in the Office of the County Recorder of Clark
 County, Nevada.

20 Parcel II:

21 A non-exclusive easement on and over the "Common Area" as defined in the Declaration of
 22 Covenants, Conditions and Restrictions to which reference is hereafter made for access, use, enjoyment,
 occupancy, ingress and egress of the amenities located hereon subject to the terms and provisions of said
 23 Declaration of Covenants, Conditions and Restrictions recorded January 20, 1987 in Book 870120 of
 Official Records, as Document No. 00088.

24 Together with any and all improvements and appurtenances thereon, Assessor's Parcel No. 163-
 25 07-813-014


26 ...

1 which will be applied towards the criminal forfeiture money judgment of \$2,341,350 in United States
2 Currency.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,
4 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any
5 income derived as a result of the United States of America's management of any property forfeited
6 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

7 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
8 certified copies to the United States Attorney's Office.

9 DATED this 17 day of Sept, 2014.

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12 UNITED STATES DISTRICT JUDGE